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News and Views

Learning Lessons and Making Differences: The European Association of Health Law Conference 2009

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Abstract

The second conference of the European Association of Health Law took place in the Royal College of Physicians in Edinburgh, Scotland on 15-16 October 2009. The event was generously sponsored by the British Academy and the AHRC/SCRIPT research centre based in the School of Law at the University of Edinburgh.² The meeting was attended by 115 delegates from 26 countries and preceded by a public debate on assisted dying. This report gives an account of these events and the future direction of the work of the Association.

Keywords

European Association of Health Law (EAHL); EAHL Conference 2009; European health law; assisted suicide; patients' rights

2. EAHL 2009

The theme of the second conference of the European Association of Health Law (EAHL) was *Learning Lessons and Making Differences: Improving the Future of Health Law in Europe*. The conference was attended by delegates from 26 countries, including Poland, Malta, Turkey, Israel, Lithuania, Latvia, Canada, Singapore and Hungary. The format of the conference included plenary and parallel sessions, with 38 speakers (including 4 keynote speakers). In addition, and in keeping with the Association's commitment to encourage young scholars, two poster competitions were held (one for PhD students and one for early career researchers). Eighteen (18) posters were submitted on a wide range of health law-related topics, including advance directives, cross-border healthcare and medical tourism, and genetic tests. A pre-conference public event on Euthanasia

¹) Graeme Laurie is grateful to his colleagues Simone Hull and Kathryn Hunter for their extensive assistance in the organisation of the conference and of this report.

²) SCRIPT is a law and technology research centre sponsored by the UK's Arts and Humanities Research Council.

and Assisted Suicide was held on 14 October and attracted 82 participants. Both the public event and conference were very well received.

The pre-conference public debate focussed on the question: *Should we legalise euthanasia and assisted suicide? Lessons from across Europe*. Experts from across Europe gave brief presentations on the issues around euthanasia and assisted suicide before the floor was then opened for debate. The panel, chaired by Professor Graeme Laurie, included Prof Dr. Henriette Roscam-Abbing (The Netherlands) and Prof Mette Hartlev (Denmark), both keynote speakers at the conference; Prof Herman Nys (Belgium), a member of the EAHL Executive Committee; Dr Roberto Andorno (Switzerland), a presenter at the conference; and Prof Kenneth Boyd (Scotland), Professor of Medical Ethics at the University of Edinburgh. In the spirit of public engagement and knowledge dissemination, this event was free and was also recorded in order to make it available to an even wider audience around Europe and beyond. An audio file of the event can be found on the Association's website here: <http://www.law.ed.ac.uk/ahrc/eahl/>

3. Conference Programme

The academic programme of EAHL 2009 was opened with a Keynote Address by Prof. Dr. Henriette D.C. Roscam Abbing (Emeritus Professor of Health Law, University of Utrecht) on *Patients' rights in a technology and market driven Europe*. In her presentation, Prof. Roscam-Abbing addressed the impact of technological developments on patients' rights, arguing that health law research and public debate are indispensable in preventing the individual freedom to make decisions about health care matters from being subjugated to technology, economic and societal interests. Her address provided a fitting start to the conference and set the context for the four (4) parallel sessions that followed — Stem Cell Research & Regulation, Genetic Engineering & Embryo Screening, Organ Donation, and Access & Governance — all of which focused on Contemporary Challenges in Health Law in Europe.

The afternoon session of Day 1 began with a Keynote Address by Dr. Anne-Maree Farrell (School of Law, University of Manchester) on *Governing risk: examining the politics of EU regulation of human material*. Dr. Farrell is a leading UK academic in EU and comparative health law policy and regulation and her presentation examined the politics of EU risk governance in relation to human material. She suggested that in order to promote greater transparency and accountability and to enhance public trust in what is a politically-sensitive area of governance; a more integrated approach to EU risk governance in relation to human material is needed. Dr. Farrell's keynote address was followed by three (3) parallel sessions on Rights to Health & Healthcare; Professional Discipline, Complaints & Reporting; and Data Protection.

The programme for Day 1 closed with a General Assembly of the Association which ratified plans proposed by the Advisory Board for future directions for the Association (see below).

Day 2 of the conference began with a Keynote Address by Professor Mette Hartlev (Professor of Health Law and Bioethics, University of Copenhagen) on *Diversity and Harmonisation in European Health Law — Trends and Challenges*. Professor Hartlev's presentation focused on the two parallel trends in the development of European health laws — human rights and cultural diversity — as well as the challenges presented by increasing patient and professional mobility. To address these challenges, Prof. Hartlev suggested that it is necessary for European health lawyers to have a profound cross-national understanding of the political, cultural and legal drivers that affect the development of health law in an integrated Europe. Prof. Hartlev's keynote address was followed by five parallel sessions on Advance Directives; The Unborn & Newborn; Negligence, Harm & Compensation; Health Privacy; and Consumerism & Healthcare.

The final afternoon of the conference commenced with a Keynote Address by Professor Toma Birmontiene (Professor of Law, Mykolas Romeris University, and Judge of the Constitutional Court of Lithuania) on *The Development of Health Law as a Way to Change Traditional Attitudes in National Legal Systems. Influence of International Human Rights Law, What is Left for the National Legislator?* Prof. Birmontiene's presentation looked at the extent to which international human rights law has influenced the development of health law in Europe, and the challenges this poses for national legislators. Her address provided an excellent introduction to the three parallel sessions that followed: Human Rights; The State & the Individual; and Intellectual Property. The conference closed with the presentation of the prizes for the poster competition. The winners were: Sarah DeFloor (PhD, Leuven) and Jessica Wright (Early Career Researcher, Sheffield)

3. Next Steps

The keynote addresses fulfilled expectations of drawing together themes at the European and international levels and identifying ways forward for health lawyers in general, and the EAHL in particular. One notable outcome from the presentations and subsequent discussion was an agreement to establish a Working Group to examine genetic profiling in the European context and to produce a scoping report. In this way, the keynote addresses served as a platform for further initiatives within the Association.

The programme of EAHL 2009 incorporated plenty of time for delegates to network, to discuss papers and to view posters. It provided an opportunity for the EAHL Advisory Board to meet to discuss the way forward for the

Association, including its commitment to build capacity in health law teaching and research, early career development and public outreach. Dedicated sessions were organised around the Association's Working Groups: (1) Research & Networking; (2) Teaching & Training; and (3) Institutions. These Working Groups represent key aspects of the Association's activities and provide fora in which members can exchange ideas and information and progress the EAHL's objectives. Each Working Group identified key action points which were reported back to the plenary session, chief among which was the need to build a web-based portal to facilitate more frequent exchange of information, ideas, teaching materials and opportunities for funding, research and collaboration.

The next conference of the EAHL will take place in Leuven, Belgium on 5-6 October 2011.

More information about the European Association of Health Law, its work and on how to become a member can be found on its website: <http://www.law.ed.ac.uk/ahrc>. If you would like to be included on the EAHL's mailing list and to receive a copy of our regular newsletter, please contact: Simone.Hull@ed.ac.uk